4940959/2021/VIG-I-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR and RD Department – Allegations of irregularities in the execution of CC Roads under MGNREGS Programme for the FY 2012-13 in Vizianagaram District – Charges against **Sri P. Ramgopal Reddy,** former Assistant Engineer, PRI Sub-Division, Salur - Inquiry Conducted – Disagreed with the findings of I.A and communicated disagreement factors – Imposition of a penalty of 4% cut in pension for a period of one (1) year under Rule 9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG. I) DEPARTMENT

G.O.Rt.No.476 **Dated:07.9.2021.**

Read the following :

1. From the Director General, G.A (V&E) Department, Dt: 30.08.2024.
2. G.O.Rt.No.947, PR&RD (Vig.I) Department, Dt.05.10.2015.
3. From ENC, PR, AP, Lr.No.Vig.I(1)/2779/2014, Dt.28.01.2016, 18.05.2016, 20.07.2016 & 31.10.2017.
4. G.O.Rt.No.960, PR&RD (Vig.I) Department, Dt.27.07.2018.
5. From SE, PR(FAC), Vizianagaram, Lr.Rc.No.52/2010/A1, Dt.28.11.2018.
6. Govt. Memo NO. 16076/Vig.I/2014 , PR&RD (Vig. I) Dept., Dt: 02.06.2020.
7. From the ENC,PR, Letter No. Vig. I (1)/2779/2014, t: 27.10.2020.
8. Govt. Memo No. 16076/Vig. I/2014, PR&RD (Vig. I) Department, Dt: 15.04.2021.
9. From Sri P. Ramgopal Reddy, Assistant Engineer (Retd.) representation dt: 09.06.2021.
10. Govt. letter No. 16076/Vig. I/2014-14, PR&RD (Vig. I) Dept., Dt: 97.97.2021.
11. From the Secretary, APPSC, Letter No. 384/DC&C/2021, dt: 17.08.2021.

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O R D E R:

Based on the recommendations of the Vigilance & Enforcement Department made in the reference 1st read above, among others, Government have instituted disciplinary proceedings under Rule 20 of APCS (CC&A) Rules, 1991 duly framing the following article of charges vide reference 2nd read above against **Sri P. Ramgopal Reddy,** former Assistant Engineer, PRI Sub-Division, Salur in respect allegation of irregularities in execution of the works in Pedaborabanda G.P., with a direction to submit his Written Statement Defence.

Charge :

That Sri P. Ram Gopal Reddy, Assistant Engineer, Salur (M), PRI Sub-Division, Salur, Vizianagaram District has committed certain irregularities in execution and recorded of inferior quality CC road with

PTO.,

M30 grade in work i.e Providing internal roads with CC drains in SC ST colonies 2012-13 in Chinaborabanda(H) of Pedaborabanda (GP) Est.Rs.5.00 lakhs under MGNREGS programme for the financial year 2012-2013 in Parvathipuram division, Vizianagaram district and caused loss to Govt. for an amount of Rs.2,00,158/-. Hence the charge.

2. In the reference 3rd read above, the Engineer-in-Chief, PR, among others, has forwarded the written statement of defence of the Charged Officer Sri P. Ram Gopal Reddy, Assistant Engineer (PR). As the written statement of defence was found as not convincing, in the reference 4th read above, Government have appointed the Superintendent Engineer, Panchayat Raj, Vizianagaram District as the Inquiring Authority to conduct inquiry under Rule 20 (2) of A.P.C.S (CC&A) Rules, 1991 in the matter.

3. In the reference 5th read above, the Superintending Engineer, PR, Vizianagaram and Inquiry Officer has furnished inquiry report dt: 28.11.2018 wherein the Inquiry Officer, among others, has given findings against the Charged Officer Sri P. Ram Gopal Reddy, Assistant Engineer (PR), as follows :

"The proposed recovery for Rs. 2,00,158/-by the V&E was got recovered by the Executive Engineer, PRI Division, Parvathipuram and adjusted to CRD by the EE PRI Division, Parvathipuram, as such no financial loss caused to the Govt. The version of the C.O., in connection with deficiency in strength of CC Pavement executed with M30 grade is "due to lack of proper care in follow up action, such as procurement of materials as per specifications, water cement ratio and especially barricading to prevention of plying traffic during either execution or curing period is not possible in the village as there is no alternative ways to divert the traffic " and as per site conditions are acceptable. Hence, the version of the C.O., is acceptable and charge held not proved. He may be exonerated from the charges".

4. Government have examined the inquiry report and observe that the fact that the recovery proposed by the V&E has been recovered itself indicates that irregularities have been committed in the first place. Further, the fact of recovery does not absolve the C.O from the irregularities committed. The C.O has also admitted that deficiencies in work / poor quality execution as due to lack of proper care in follow up action. It is the responsibility of the C.O as a field officer to monitor the work at field level. In view of the above, the findings of the I.O, may not be agreed to and it is considered the charge framed against him as held "proved". Accordingly, in the reference 6th read above, Government have communicated the copy of the inquiry report together with the above disagreement factors to Sri P. Ram Gopal Reddy, Assistant Engineer (PR) under Rule 21 (2) of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991 with a direction to submit his representation in the matter.

Contd..at P.3.,

5. In the reference 7th read above, the Engineer-in-Chief, PR has furnished the representation of the charged officer Sri P. Ramgopal Reddy, Assistant Engineer (Retired), wherein the Charged Officer has stated that the work was executed by the Sarpanch as per the MGNREGS norms and the Sarpanch is responsible for the deficiency in strength of concrete. The recoveries were also effected and there is no loss. The Charged Officer has requested to consider his representation and to re-examine the matter and drop further action against him.

6. Government have examined the matter and observe that the contention of the Charged Officer that the Sarpanches are responsible for the lapses, merit no consideration. The very objective of the Panchayat Raj Engineering Department is that the Engineering works that are being executed in Gram Panchayts ie,. either through Contractors or through any other agencies viz,. Sarpanches etc,. shall be executed strictly in accordance with norms, work estimates and technical specifications without any deviation. It is the primary task of the PR. Engg. Personnel to ensure the maintenance of quality in execution of works. When the works are executed under the administrative control of the PR Engg. Personnel, then they are only responsible for inferior quality of execution and the lapses regarding inferior quality of works executed could not be simply thrown on executive agencies viz., Contractors, Sarpanches etc., As such, the charged officer is responsible and his representation to drop further action is devoid of merits.

7. Accordingly, after careful examination of the matter, Government have taken a provisional decision to impose a penalty of 4% cut in pension for a period of one (1) year against Sri P. Ram Gopal Reddy, former Assistant Engineer, PRISD, Salur (now Retd.) under rule 9 of A.P. Revised Pension Rules 1980 and communicated the same to the Charged Officer for his representation, if any on the same, vide reference 8th read above.

8. In the reference 9th read above, the charged officer Sri P. Ram Gopal Reddy, Assistant Engineer, PR (Retd.) has submitted his representation duly stating that his earlier explanation submitted to Government holds good for taking necessary action. He did not submit any new or valid ground for consideration. Government have therefore decided to proceed further to impose the above proposed penalty against the charged officer and addressed the A.P. Public Service Commission for their concurrence vide references 10th read above

9 In the reference 11th read above, the Secretary, A.P. Public Service Commission has communicated the consent of the Commission to impose the above penalty against the charged officer and advised to take action accordingly.

10. Accordingly, after careful examination of the matter, Government hereby impose the penalty of 4% cut in pension for a period of one (1) year against Sri P. Ramgopal Reddy, former Assistant Engineer, PRI Sub-Division, Salur, Vizianagaram District (now Retd.) under rule 9 of A.P. Revised Pension Rules, 1980 in the matter.

P.T.O.,

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11. The Engineer-in-Chef, Panchayat Raj, A.P, Vijayawada shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri P. Ramgopal Reddy, former Assistant Engineer, PRI Sub-Division, Salur, Vizianagaram District (now Retd.)
through Engineer in Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.
The Engineer in Chief, Panchayat Raj, Andhra Pradesh, Vijayawada (with a request to serve the order on the individual and furnish the dated acknowledgment copy)

Copy to:
The Secretary to Vigilance Commission, Andhra Pradesh Vigilance Commission, Velagapudi.
The Secretary, A.P. Public Service Commission, Vijayawada.
The P.R. & R.D (Estt.I) Department.
The OSD to Hon'ble Minister for PR&RD,
The PS to Prl. Secretary to Govt, PR&RD. Dept.
Sf/Sc.

//FORWARDED::BY::ORDER//

SECTION OFFICER